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AUG 26 2005

ROBERT H. SHEMWEILL, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA

VS

EDWARD D. MITCHELL

CRIMINAL NO.: 3:00CR30026-01
JUDGE JAMES
MAG. JUDGE HAYES

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

✓

The certificate of appealability is **DENIED** because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

The certificate of appealability is **GRANTED** for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Monroe, Louisiana, this 26 day of August, 2005.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE